

were introduced with the filing of the RCE. These charges were debited on August 8, 2006 from Applicants Deposit Account 501407. The charges for the excess claims fees (Fee Codes 2201 and 2202) were not required and paid by mistake.

A refund of \$ 800 is deemed to be in order.

Applicant has not previously asked for a refund of these charges made in error.

Applicant has not been refunded the excess charges requested herein.

This request for refund is being made within two years of the charge against the Deposit Account.

This request for refund is clearly one that was paid by mistake, and in excess of that required and is contemplated by 37 CFR 1.26.

Favorable consideration of this Refund request is earnestly solicited.

Respectfully submitted,



Martin Moynihan,
Registration No. 40,338

Date: May 15, 2008



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|---------------------------|-------------------------|
| Application Number | 10/648,474 |
| Filing Date | August 27, 2003 |
| Examiner Name | Daniel D. Chang |
| First Named Inventor | Arkadiy MORGENSHTEIN |
| Group Art Unit | 2819 |
| Attorney Docket Number | 26327 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other ONE (1) Month Extension fee
- v. ☐ Other

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for
a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

| For: | Column 1 No. Filed | Column 2 No. Extra | SMALL ENTITY RATE | FEE | OTHER THAN A SMALL ENTITY RATE | FEE |
|---|--------------------------|--------------------------|----------------------|---------------|-----------------------------------|-----------|
| Request for Continued Examination (RCE) | | | 1 | \$ 395 | | \$ 790 |
| Multiple Dependent Claims | | | 0 x \$ 180 | \$ 0 | \$ 360 | \$ |
| Total Claims | 48 - 20= | 28 | 28 x \$ 25 | \$ 700 | \$50 | \$ |
| Independent Claims* | 4 - 3= | 1 | 1 x \$ 100 | \$ 100 | \$200 | \$ |
| | | | TOTAL | \$1195 | TOTAL | \$ |

☒ The Commissioner is hereby authorized to charge \$1195.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|----------------------|--------------------|--------------------------------------|----------------|
| Name (Print/Type) | Martin D. Moynihan | Registration No. (Attorney/Agent) | 40,338 |
| Signature | | Date | August 4, 2006 |



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| Signature | | Date | August 4, 2006 |

Adjustment date: 05/22/2008 SDIRETAI
08/08/2006 HALI11 00000009 501407 10648474
02 FC:2201 100.00 CR
03 FC:2202 700.00 CR

08/08/2006 HALI11 00000009 501407 10648474
01 FC:2801 395.00 DA
02 FC:2201 100.00 DA
03 FC:2202 700.00 DA